

REMARKS

In the 10 February 2005 Office Action, claims 1-3, 6-8, 11-14, 17-20, 23-26, 29-31, 34-37, 40-42, 45-47, 50-53, 56-59, 62-65, 68-70, 73-76, 79-82, 85-88, 91-94, 97-99, 102-105, and 108-128 stand rejected under 35 U.S.C. 103(a) as being unpatentable over by Pazel, U.S. 5,410,648 (Reissue 36,422) in view of Zgarba et al, U.S. Patent 6,502,239 (hereinafter referred to as Zgarba).

Claims 4, 5, 9, 10, 15, 16, 21, 22, 27, 28, 32, 33, 38, 39, 43, 44, 48, 49, 54, 55, 60, 61, 66, 67, 71, 72, 77, 78, 83, 84, 89, 90, 95, 96, 100, 101, 106, and 107 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Pazel, U.S. Patent 5,410,648 (Reissue 36,422) in view of Zgarba et al, U.S. Patent 6,502,239, and further in view of Graham, U.S. Patent 5,918,053.

The Present Invention Would Not Have Been Obvious From The Cited References

A claimed invention may be found to have been obvious "if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains." 35 U.S.C. § 103(a). Moreover, the Federal Circuit has ruled on numerous occasions that a holding of "obviousness" requires some motivation, suggestion or teaching within the cited references that would lead one skilled in the art to modify the cited reference or references as claimed by applicant. See, for example, *In re Kotzab*, 217 F3d 1365, 55 USPQ2d 1313 (Fed Cir. 2000):

"Most if not all inventions arise from a combination of old elements. See *In re Rouffet*, 149 F.3d 1350, 1357, 47 USPQ2d 1453, 1457 (Fed. Cir. 1998). Thus, every element of a claimed invention may often be found in the prior art. However, identification in the prior art of each individual part claimed is insufficient to defeat

patentability of the whole claimed invention. Rather, to establish obviousness based on a combination of the elements disclosed in the prior art, there must be some motivation, suggestion or teaching of the desirability of making the specific combination that was made by the applicant. See *In re Dance*, 160 F.3d 1339, 1343, 48 USPQ2d 1635, 1637 (Fed. Cir. 1998); *In re Gordon*, 733 F.2d 900, 902, 221 USPQ 1125, 1127 (Fed. Cir. 1984). Even when obviousness is based on a single prior art reference, there must be a showing of a suggestion or motivation to modify the teachings of that reference. See *B.F. Goodrich Co. v. Aircraft Breaking Sys. Corp.*, 72 F.3d 1577, 1582, 37 USPQ2d 1314, 1318 (Fed. Cir. 1996)."

The cited Pazel patent, the cited Zgarba et al patent and the cited Graham patent describe software tools. The invention described by Pazel pertains to a software debugging system that displays various views of a project source code. The Zgarba et al patent discloses a software tool for engineering source code from a software model. The Graham patent discloses a method and system for diagramming collaborations deduced from Smalltalk code using a design virtual machine. The present invention also discloses a software tool. However, the software tool of the present invention as specifically claimed is novel and non-obvious over the cited references.

None of the cited prior art teaches graphical and textual representations of the source code being generated from a language-neutral representation of the source code that includes a data structure having a source code interface (SCI) model, an SCI package, an SCI class and an SCI member, wherein the language-neutral representation of the source code is stored in a non-repository transient meta model. For example, page 12, lines 14-19 and lines 27-30 of the present application describe a step of converting a source code into a language-neutral graphical representation, wherein the language-neutral representation of the source code includes a data structure having a source code interface (SCI) model, an SCI package, an SCI class and an SCI member. Moreover, FIGS. 3 and 5 of the present application depict a language-neutral representation of the source code that includes a data structure having a

source code interface (SCI) model, an SCI package, an SCI class and an SCI member. None of the cited prior art applied or not applied, disclose the above underlined requirements. Thus, the independent claims along with their dependents cannot be properly held to be obvious over the cited references.

CONCLUSION

In view of the foregoing, claims 1-128 constituting the claims pending in the application, are submitted to be allowable. If any issues remain outstanding, Examiner Choung is respectfully requested to contact the undersigned attorney to discuss the resolution of such issues, in order that prosecution of the application may be concluded favorably to the applicant.

Respectfully submitted,



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